

## UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMER United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION N
10/075,204	02/14/2002	Yong Woo Kim	-	9391
20808 7:	590 10/25/2004		EXAMINER	
BROWN & MICHAELS, PC			DONNELLY, JEROME W	
400 M & T BA 118 NORTH T	NK BUILDING IOGA ST		ART UNIT	PAPER NUMBER
ITHACA, NY	14850		3764	$\geq$
	•		DATE MAILED: 10/25/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Office Action Comments	10/075,204	KIM, YONG WOO				
Office Action Summary	Examiner	Art Unit				
	Jerome W Donnelly	3764				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w  - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 2/	9/04	·				
2a) ☐ This action is <b>FINAL</b> . 2b) ☒ This	action is non-final.					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is						
closed in accordance with the practice under E.						
·	, , , , , , , , , , , , , , , , , , , ,					
Disposition of Claims						
4) Claim(s) <u>F27</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.	-					
8) $\square$ Claim(s) $27$ are subject to restriction and/or	election requirement.					
Application Papers		•				
9)☐ The specification is objected to by the Examiner	•					
10) The drawing(s) filed on is/are: a) acce		- - - - -				
Applicant may not request that any objection to the c		•				
Replacement drawing sheet(s) including the correcti	J. ,	( )				
11) The oath or declaration is objected to by the Ex		· ·				
	•					
Priority under 35 U.S.C. § 119		·				
12) ☐ Acknowledgment is made of a claim for foreign a) ☐ All b) ☐ Some * c) ☐ None of:	priority under 35 U.S.C. § 119(a)	-(d) or (f).				
1. Certified copies of the priority documents	s have been received					
2. Certified copies of the priority documents		on No				
3. Copies of the certified copies of the priori	• •	<del></del>				
application from the International Bureau						
* See the attached detailed Office action for a list of	• • •	ed.				
	•					
	e W. Donnelly					
Attachment(s)	ary Examiner					
1) Notice of References Cited (PTO-892)	4) Interview Summary					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date.						
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	6) Other:	асель Аррисации (РТО-152)				
	·					

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-16 and 23-27, drawn to apparatus, classified in class 482, subclass 121.
- Claims 17-22 are, drawn to method of use, classified in class 473, subclass 131.

The inventions are distinct, each from the other because:

Inventions Group I and Group II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case The process as claimed may be practiced by any other device which has two elastic cords attached to a handle.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Any inquiry concerning this communication should be directed to Jerome Donnelly at telephone number (703) 308-2668.

Jerome W. Donnelly) Primary Examiner